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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/818,052	REYNOLDS ET AL.	
	Examiner	Art Unit	
	Christopher M Lambrecht	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-56 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-56 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 27 March 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/04;6/02;3/02</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-4, 9, 13-19, 22, 23, 28-33, and 36-43** are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,600,364 to Hendricks et al. (hereinafter “Hendricks”).

Regarding **claim 1**, Hendricks discloses a data modification device (cable headend **208**, fig. 4), comprising:

an incoming data terminal (receiver **203**, fig. 4);

a local data terminal (input to **209** from network controller **214**, fig. 4);

a data distribution terminal (output of signal processor **209** to distribution network **236**, fig. 4);

a data modification unit (signal processor **209**, fig. 4) coupled to the incoming data terminal [203], the local data terminal [209-214], and the data distribution terminal [209-236], wherein the data modification unit [209] is adapted to selectively combine data from the incoming data terminal [203](program signals **205**) and the local data terminal [209-214](modified program control information) in accordance with an instruction set (col. 15, ll. 22-41).

As for **claim 2**, Hendricks discloses the device of claim 1, wherein the data modification unit [209] comprises:

a data stripper (demux **242**, fig. 6a, col. 21, ll. 45-50, where fig. 6a is a detail of headend **208**, col. 21, ll. 22-27);

a processor [244] configured to execute the instruction set (col. 21, ll. 58-65); and

an inserter (modulator 252, fig. 6a, inserts data into RF spectrum for transmission to set-tops over network 236, fig. 4).

As for **claim 3**, Hendricks discloses the device of claim 2, wherein the data stripper [242] is coupled to the incoming data terminal [203](via IRD 240, fig. 6a), the processor [244] is coupled to the local data terminal [209-214], and the data insertion unit [252] is coupled to the distribution terminal [236, fig. 5].

As for **claim 4**, Hendricks discloses the device of claim 1, wherein the incoming data terminal [203] is adapted to receive a data signal (digital RF program signals 205, fig. 4) from a broadcasting source (operations center 202, fig. 1).

As for **claim 9**, Hendricks discloses the device of claim 4, wherein the broadcasting source [202] is an MPEG-2 format (col. 9, ll. 38-54).

As for **claim 13**, Hendricks discloses the device of claim 4, wherein the data signal comprises a video data component (packaged programs) and a meta data component (control information, col. 7, ll. 18-27, and col. 18, ll. 18-30).

As for **claim 14**, Hendricks discloses the device of claim 1, wherein the local data terminal [209-214] is adapted to receive a data signal from a storage device (from storage in 214, col. 18, ll. 18-30).

As for **claims 15-17**, Hendricks discloses the device of claim 14, wherein the storage device is a recordable disk, a RAM, and a computer database (col. 17, ll. 6-10).

As for **claim 18**, Hendricks discloses the device of claim 1, wherein the data distribution terminal [209-236] is adapted to transmit a data signal to a distribution channel (where distribution network 236 comprises a distribution channel).

As for **claim 19**, Hendricks discloses the device of claim 2, wherein the data stripper [242] is adapted to separate an incoming signal into a video data component and a meta data component (col. 21, ll. 45-50).

As for **claim 22**, Hendricks discloses the device of claim 1, further comprising a receiver (customer premise equipment, including set-top terminal 220 and television 222, fig. 3) adapted to display the combined data from the incoming data terminal [203] and the local data terminal [209-214] (col. 12, ll. 8-18).

As for **claim 23**, Hendricks discloses the device of claim 22, wherein the receiver is an NTSC enabled television (col. 12, ll. 54-57).

Regarding **claim 28**, Hendricks discloses a data modification system (headend 208, fig. 4) for selective insertion (col. 15, ll. 31-35) of local meta data (i.e., modified program control information, col. 15, ll. 25-26) into an incoming data stream (program signals 205), the incoming data stream having a video data component and a meta data component (col. 7, ll. 18-27, and col. 18, ll. 18-30), the data modification system comprising:

- an incoming data terminal (receiver 203, fig. 4);
- a local data terminal (input to 209 from 214, fig. 4); and

a data modification unit (signal processor 209, fig. 4) coupled to the incoming data terminal [203] and the local data terminal [209-214],

wherein the data modification unit [209] is adapted to selectively combine data from the incoming data terminal [203] and the local data terminal [209-214] (col. 15, ll. 22-41).

As for **claim 29**, Hendricks discloses the data modification system of claim 28, wherein the data modification unit [209] comprises:

a data distribution terminal (output of 209 to distribution network 236, fig. 4);

a data stripper (demux 242, fig. 6a, col. 21, ll. 45-50) coupled to the incoming data terminal [203] (203 in fig. 4, detailed as IRD 240 in fig. 6a);

a processor (244 fig. 6a) coupled to the local data terminal [209-214]; and

a data insertion unit (modulator 252, fig. 6a, inserts data into RF spectrum for transmission to set-tops over network 236, fig. 4) coupled to the data distribution terminal [209-236].

As for **claim 30**, Hendricks discloses the data modification system of claim 29, wherein the processor [244] is adapted to execute an instruction set (col. 21, l. 66 – col. 22, l. 2).

Regarding **claim 31**, Hendricks discloses a method of selectively modifying a data signal (program control information signal, col. 24, ll. 3-10), comprising:

receiving a data signal (205, fig. 6a, col. 21, ll. 37-40), the data signal comprising a first data component (A/V programming signals) and a second data component (data, col. 21, ll. 45-50);

separating the first data component from the second data component (col. 21, ll. 45-50);

determining whether to modify the second data component (col. 24, ll. 3-10);

retrieving a third data component from a database (col. 33, ll. 13-25);

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merging the third data component with the first data component (col. 18, ll. 7-14); and
outputting the third data component and the first data component to a distribution terminal (col.
17, ll. 40-47).

As for **claim 32**, Hendricks discloses the method of claim 31, wherein the first data component comprises a video component (col. 21, ll. 45-50) and the second data component comprises a meta data component (col. 18, ll. 43-53).

As for **claim 33**, Hendricks discloses the method of claim 31, wherein determining whether to modify the second data component is a logic function programmed into a processor (col. 24, ll. 27-37).

As for **claim 36**, Hendricks discloses the method of claim 31, wherein the third data component replaces the second data component (col. 24, ll. 3-10, where changing a portion of the program control information signal to be sent to the set-top comprises replacing the original portion of the program control information signal with the modified portion of the program control information signal).

As for **claim 37**, Hendricks discloses the method of claim 31, wherein the third data component is a local meta data component (i.e., meta data corresponding to local/regional programming, col. 24, ll. 27-37).

Regarding **claims 38 and 43**, Hendricks discloses a method and corresponding computer readable medium of having computer executable instructions for performing a method of selectively modifying a data signal (col. 32, ll. 40-50), the method comprising:

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receiving a data signal (205, fig. 6a, col. 21, ll. 37-40), the data signal comprising a first data component (A/V programming signals) and a second data component (data, col. 21, ll. 45-50); separating the first data component from the second data component (col. 21, ll. 45-50); determining whether to modify the second data component (col. 24, ll. 3-10); if modification of the second data component is not required, then forwarding the second data component (transfer unmodified control signals, col. 18, ll. 9-13); merging the second data component with the first data component (combined with program signals, col. 18, ll. 9-13) ; and outputting the second data component and the first data component to a distribution terminal (distribution over cable system, col. 18, ll. 9-13); if modification of the second data signal is required, then retrieving a third data component from a database (col. 33, ll. 13-25); forwarding the third data component (transfer modified control signals, col. 18, ll. 9-13); merging the third data component with the first data component (combined with program signals, col. 18, ll. 9-13); and outputting the third data component and the first component to a distribution terminal (distribution over cable system, col. 18, ll. 9-13).

As for **claim 39**, Hendricks discloses the method of claim 38, wherein the first data component comprises a video component (col. 21, ll. 45-50), the second data component comprises a meta data component (col. 18, ll. 43-53), and the third data component comprises a local meta data component (meta data corresponding to local/regional programming, col. 24, ll. 27-37).

As for **claim 40**, Hendricks discloses the method of claim 38, wherein the third data component replaces the second data component (col. 24, ll. 3-10, where changing a portion of the program control information signal to be sent to the set-top comprises replacing the original portion of the program control information signal with the modified portion of the program control information signal).

Regarding **claims 41 and 42**, Hendricks discloses a data modification system (headend 208, fig. 4) for selective insertion (col. 15, ll. 31-35) of local meta data (i.e., modified program control information, col. 15, ll. 25-26) into a data stream (program signals 205), the data stream having a video data component and a meta data component (col. 7, ll. 18-27, and col. 18, ll. 18-30), the data modification system comprising:

a data stripper (demux 242, fig. 6a) operative to separate the video data component from the meta data component (col. 21, ll. 45-50);

a data storage device (network control databases 226, fig. 6a) for storing the local meta data (col. 33, ll. 17-25);

a processor (CPU 244, fig. 6a) coupled to the data storage device [226] and the data stripper [242], the processor operative to selectively determine whether to replace the meta data component with the local meta data (col. 24, ll. 28-41); and

a data insertion unit (modulator 252, fig. 6a, inserts data into RF spectrum for transmission to set-tops over network 236, fig. 4) coupled to the processor [244], wherein the data insertion unit is operative to replace the meta data component with the local meta data (where modulator 252 is responsible for insertion of the modified control information into a transmission channel, col. 22, ll. 8-12).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 5-8, 11-12, 20, 21, 24-27, 34, and 35** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks.

Regarding **claims 5-7**, Hendricks discloses the device of claim 1, but fails to disclose the incoming data terminal [203] is adapted to receive a data signal that conforms to a TCP-IP standard, an ATVEF standard, and a DOCSIS standard.

Official notice is taken of the fact that it is well known in the art to adapt a data terminal of a cable headend to receive a data signal conforming to a TCP-IP standard, for the purposes of enabling communication with TCP-IP devices; an ATVEF standard, for the purposes of enabling communication with enhanced television devices; and a DOCSIS standard, for the purposes of enabling communication with DOCSIS devices, respectively.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the incoming data terminal of Hendricks to receive a data signal that conforms to a TCP-IP standard, an ATVEF standard, and a DOCSIS standard, for the purpose of enabling communication with any well known standard such as TCP-IP devices, ATVEF devices, and DOCSIS devices in order to provide compatibility with any interactive television system.

As for **claims 8 and 10-12**, Hendricks discloses the device of claim 4, but fails to disclose the broadcasting source is an NTSC format, an HDTV format, a DVD format, and a DBS format.

Official notice is taken of the fact that it is well known in the art to employ a broadcasting source of an NTSC format, for the purpose of enabling communication with NTSC devices; an HDTV format, for enabling communication with HDTV compatible devices; a DVD format, enabling communication with DVD compatible devices; and a DBS format, for enabling communication with DBS compatible devices.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the broadcasting source of Hendricks to include an NTSC format, an HDTV format, a DVD format, and a DBS format, for the purpose of enabling communication with NTSC, HDTV, DVD, and DBS compatible devices in an interactive television system.

As for **claims 20, 21, 34 and 35**, Hendricks discloses the device of claim 2 and method of claim 33, but fails to disclose the processor [244] is a reprogrammable device, and an ASIC.

Official notice is taken of the fact that it is well known in the art to implement a processor as a reprogrammable device, for the purpose of increasing system flexibility; and to implement a processor as an ASIC, for the purpose of improving device efficiency by using a processor designed for a specific application.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the processor of Hendricks as a reprogrammable device, for the purpose of increasing system flexibility; and to implement a processor as an ASIC, for the purpose of improving device efficiency by using a processor designed for a specific application in the cable headend.

Regarding **claims 24-27**, Hendricks discloses the device of claim 22, but fails to disclose the receiver is an HDTV enabled television, an MPEG-2 enabled television, a DVD enabled television, and a DBS enabled television.

Official notice is taken of the fact that it is well known in the art to implement a receiver as an HDTV enabled television, enabling high-definition content to be viewed by the user; an MPEG-2 enabled television, enabling compatibility with programming provided in MPEG-2 format; a DVD enabled television, enabling compatibility with programming provided in DVD format; and a DBS enabled television, enabling compatibility with programming delivered in DBS format.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the receiver of Hendricks to include an HDTV enabled television, an MPEG-2 enabled television, a DVD enabled television, and a DBS enabled television, for the purpose of enabling compatibility with programming provided in HDTV format, MPEG-2 format, DVD format, and DBS format.

5. **Claims 44-56** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks in view of Netrino.com “How to Enhance TV with ATVEF” by Jason Steinhorn and Mark Kohler, October 1999 (hereinafter “Netrino”).

Regarding **claim 44**, Hendricks discloses a method of controlling a display of enhanced television content (interactive programming) for viewers from a distribution point (col. 15, ll. 42-48), comprising:
receiving a broadcast signal comprising a video component and a generic meta data component (unmodified program control information signal, col. 15, ll. 23-33);
evaluating the generic meta data component to determine whether to make an insertion of local meta data (modified program control information signal) into the broadcast signal (col. 15, ll. 32-34);
inserting the local meta data into the broadcast signal in response to a determination in the evaluating step to make the insertion, to obtain a modified broadcast signal (col. 18, ll. 8-13); and
broadcasting the modified broadcast signal to the viewers (col. 18, ll. 8-13).

Hendricks fails to disclose the generic meta data comprises triggers.

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In an analogous art, Nettuno discloses generic meta data component comprising triggers (national scale ATVEF data, p. 7, ¶8, where ATVEF data comprises triggers, p. 2, ¶11), for the purpose of enabling access to enhanced content by providing the location of enhanced content (p. 2, ¶11).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the generic meta data of Hendricks to include triggers, as taught by Nettuno, for the purpose of enabling access to enhanced content by providing the location of enhanced content.

As for **claim 45**, Hendricks and Nettuno together disclose the method of claim 44. In addition, Nettuno further discloses local meta data comprising triggers (ATVEF content inserted by local cable operator, p. 7, ¶11), for the purpose of, *inter alia*, enabling national broadcasters to provide local headlines (p. 7, ¶11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the local meta data of Hendricks to include triggers, as taught by Nettuno, for the purpose of enabling national broadcasters to provide local headlines.

As for **claim 46**, Hendricks and Nettuno together disclose the method of claim 44, wherein the generic meta data further comprises content (where meta data contains any information, it inherently comprises content), and the local meta data comprises content (see above). In addition, Nettuno further discloses local meta data comprising triggers (ATVEF content inserted by local cable operator, p. 7, ¶11), for the purpose of, *inter alia*, enabling national broadcasters to provide local headlines (p. 7, ¶11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the local meta data of Hendricks to include triggers, as taught by Nettuno, for the purpose of enabling national broadcasters to provide local headlines.

As for **claim 47**, Hendricks and Netrino together disclose the method of claim 44. In addition,

Hendricks discloses:

repeating the evaluation step (col. 17, l. 62 – col. 18, l. 7 describes a periodic updating of network control databases for the purpose of future evaluations regarding modifications to the program control information signal); and

broadcasting the broadcast signal to the viewers in response to a determination in the repeated evaluating step to not make the insertion (i.e., make no modifications, col. 15, ll. 35-41).

As for **claim 48**, Hendricks and Netrino together disclose the method of claim 47. In addition,

Hendricks discloses:

substituting the local meta data (modified program control information signal) for the generic meta data (unmodified program control information signal) in the broadcast signal in response to a determination in the evaluating step to make the insertion, to obtain the modified broadcast signal (col. 24, ll. 3-10, where changing a portion of the program control information signal to be sent to the set-top comprises replacing the original portion of the program control information signal with the modified portion of the program control information signal).

As for **claim 49**, Hendricks and Netrino together disclose the method of claim 44. In addition,

Hendricks discloses stripping the generic meta data component from the broadcast signal prior to the evaluating step (col. 21, ll. 45-50).

As for **claim 50**, Hendricks and Netrino together disclose the method of claim 49. In addition,

Hendricks discloses:

repeating the evaluating step (col. 17, l. 62 – col. 18, l. 7 describes a periodic updating of network control databases for the purpose of future evaluations regarding modifications to the program control information signal);
inserting the generic meta data (unmodified program control information signal) back into the broadcast signal in response to a determination in the repeated evaluating step to make the insertion, to obtain a reconstructed broadcast signal (col. 18, ll. 9-14); and
broadcasting the reconstructed broadcast signal to the viewers (col. 18, ll. 9-14).

Regarding **claim 51**, Hendricks and Netrino together disclose the method of claim 44. In addition, Hendricks discloses:

characterizing the distribution point [208] by a local parameter that includes a geographical region parameter (col. 29, ll. 30-42);
wherein the generic meta data component (unmodified program control information signal) further comprises content (where meta data contains any information, it inherently comprises content) and a plurality of announcements (col. 18, ll. 44-52), each of which includes a generic parameter being the geographical region parameter (because the unmodified program control information signal may be modified to accommodate regional programming needs, col. 17, ll. 35-40, the information conveyed in the unmodified program control information signal is inherently characterized as generic relative to the geographic region serviced by a particular cable headend receiving said program control information signal); and

wherein the evaluating step comprises comparing values of the generic parameters and the local parameters (where the program control information signal received at the headend is modified to accommodate regional programming needs, col. 17, ll. 35-40, the evaluation step inherently comprises comparing the generic parameter and the local parameter; i.e., determining that said regional

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programming exhibits greater regional specificity and significance than the programming represented in the unmodified program control information signal).

As for **claim 52**, Hendricks and Nettuno together disclose the method of claim 51. In addition, Nettuno further teaches use of the ATVEF standard for the implementation of enhanced television programming because of significant industry support for the ATVEF specification.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the generic and local parameters of Hendricks and Nettuno such that they are defined by options established by an ATVEF specification, as further taught by Nettuno, because of the significant industry support for the ATVEF specification.

Regarding **claim 53**, Hendricks discloses a system for controlling display of enhanced content for viewers from a distribution point such as a local cable headend (**208**, fig. 4), the system comprising:

a broadcast signal receiver (**203**, fig. 4) for receiving a broadcast signal (**205**, fig. 4) comprising a video component and a generic meta data component (unmodified program control information signal, col. 15, ll. 23-33);

a local meta data center (network control databases **226**, fig. 5) for storing local meta data of particular relevancy to the viewers (network control databases, col. 17, ll. 33-40);

a first processor component (CPU **224**, fig. 6a) coupled to the broadcast signal receiver [**203**] for evaluating the generic meta data component to determine whether to make an insertion of the local meta data into the broadcast signal (col. 21, ll. 50-58);

a second processor component [**224**] coupled to the local meta data center [**226**] for selecting the local meta data in response to a signal from the first processor component [**224**] to make the insertion (col. 33, ll. 20-25 and col. 21, ll. 50-58);

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an inserter (modulator 252, fig. 6a) coupled to the second processor component [224] for receiving the local meta data (modified program control information signal), and further coupled to the broadcast signal receiver [203] for inserting the local meta data into the broadcast signal to obtain a modified broadcast signal (col. 22, ll. 8-12); and

a transmitter coupled to the inserter for broadcasting the modified broadcast signal to the viewers (col. 22, ll. 8-12, where the signal is transmitted, there inherently exists a transmitter).

Hendricks fails to disclose the generic meta data comprises triggers.

In an analogous art, Nettino discloses generic meta data component comprising triggers (national scale ATVEF data, p. 7, ¶8, where ATVEF data comprises triggers, p. 2, ¶11), for the purpose of enabling access to enhanced content by providing the location of enhanced content (p. 2, ¶11).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the generic meta data of Hendricks to include triggers, as taught by Nettino, for the purpose of enabling access to enhanced content by providing the location of enhanced content.

As for **claim 54**, Hendricks and Nettino together disclose the system of claim 53. In addition, Hendricks discloses the broadcast signal receiver [203] comprises a stripper (demux 242, fig. 6a) for removing the generic meta data component (unmodified program control information signal) from the broadcast signal [205] and furnishing the generic meta data component to the first processor component [244] (col. 21, ll. 45-50).

As for **claim 55**, Hendricks and Nettino together disclose the system of claim 54 further comprising:

a third processor component coupled to the stripper for selecting the generic meta data component (unmodified program control information signal) in response to a signal from the first processor component not to make the insertion (i.e., to leave the program control information signal or a portion thereof unmodified) (col. 15, ll. 35-40);

wherein the inserter comprises a component for receiving the generic meta data from the third processor component and inserting the generic (unmodified) meta data back into the broadcast signal (col. 18, ll. 9-14).

Regarding **claim 56**, Hendricks and Netrino together discloses a system for controlling a display of enhanced television content for a first group of viewers comprising a first distribution point, substantially identical to the distribution point as described in the rejection of claims 53-55. In addition, Netrino further discloses insertion of ATVEF at multiple points in the distribution system, such as at the national broadcasting and local broadcasting level, for the purpose of enabling broadcasters to target local markets in the context of a national broadcast (p. 7, ¶8).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention as made to modify the system of Hendricks and Netrino to include a second distribution point substantially identical to the first distribution point as described above, adapted to receive the transmitted signal of the first distribution point and to further modify said signal to include locally targeted ATVEF data, as additionally taught by Netrino, for the purpose of enabling broadcasters to target local markets in the context of a national broadcast.

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Conclusion

6. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

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Signature: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M Lambrecht whose telephone number is (571) 272-7297. The examiner can normally be reached on 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher M Lambrecht
Examiner
Art Unit 2611

CML



CHRIS GRANT
PRIMARY EXAMINER